AMENDMENTS

In the Claims

Please cancel claims 2, 3, 6, 7, 9, 16 and 17 without prejudice or disclaimer and amend the remaining claims as follows:

1. (Amended) A method of potentiating the response of a tumor cell [to DNA damaging agents] comprising [the steps of]:

(a) [administering a virus to the] contacting said cell with a herpesvirus ; and

(b) exposing [the] said cell to [a DNA damaging agent] ionizing radiation.

4. (Amended) The method according to claim [2] 1, wherein the [virus is HSV-1] herpesvirus is HSV.

5. (Amended) The method according to claim [1] 4, wherein the [DNA damaging agent is ionizing radiation] HSV is HSV-1.

8. (Amended) The method according to claim 1, wherein the tumor cell is a human tumor cell.

10. (Amended) The method according to claim [9] 8, wherein the human tumor cell is a brain cancer cell.

11. (Amended) The method according to claim [9] 8, wherein the human tumor cell is a breast cancer cell.

12. (Amended) The method according to claim 1, wherein the cell is located within an animal, and the [virus] herpesvirus is administered to the animal in a pharmaceutically acceptable form.

13. (Amended) A method of [controlling] inhibiting growth of a tumor *in vivo* comprising [the steps of:

(a)] delivering to [the] said tumor, in combination, a [therapeutically effective amount of a virus] herpesvirus [that contains a DNA molecule comprising a radiation responsive enhancer-promoter operatively linked to an encoding region that encodes a polypeptide having the ability to inhibit growth of a tumor cell;] and

[(b) exposing the cell to an effective expression-inducing dose of] ionizing radiation, wherein said combination is sufficient to inhibit the growth of said tumor.

14. (Amended) The method according to claim 13, wherein the [virus] herpesvirus is [an adenovirus, herpesvirus or retrovirus] HSV.

15. (Amended) The method according to claim [14] 13, wherein the [virus] herpesvirus is [an adenovirus] HSV-1.

18. (Amended) A method of enhancing the effectiveness of ionizing radiotherapy [in a mammal] comprising administering to a tumor site in a [the] mammal [an effective amount of] (i) a pharmaceutical composition [that contains a virus according to claim 2] comprising a herpesvirus and (ii) ionizing radiation, wherein the combination of herpesvirus infection and radiation is more effective than ionizing radiation alone.

19. (Amended) The method [of] according to claim 18, wherein the administering is by means of an intravenous injection of from about 10^8 to about 10^{10} [virus] herpesvirus particles.

20. (Amended) The method according to claim 18, wherein the administering is by means of an oral route.

21. (Amended) The method [of] according to claim 18, wherein the [mammal is a mouse] the tumor is brain or breast tumor.

22. (Amended) The method [of] according to claim 18, wherein the mammal is a human.

23. (Amended) A [process] method of [inhibiting growth of] killing a tumor cell comprising the steps of:

(a) [delivering to] contacting said tumor cell with a [therapeutically effective amount of a selected virus] herpesvirus; and

(b) exposing said cell to [an effective] a dose of [a DNA damaging agent] ionizing radiation sufficient to kill said cell in conjunction with said herpesvirus.

24. (Amended) The [process] method according to claim 23, wherein the [virus] herpesvirus is [an adenovirus, HSV-1, or a retrovirus] HSV.

25. (Amended) The [process] method according to claim [23] 13, [comprising] wherein said delivering comprises injecting into a tumor site a [therapeutically effective amount of a] pharmaceutical composition comprising [a virus] said herpesvirus.

26. (Amended) The [process] method according to claim [25] 13, wherein the tumor is [contacted with a DNA damaging agent by irradiating the tumor site with] exposed to X-irradiation, γ-irradiation, or β-irradiation.

27. (Amended) The [process] method according to claim [25] 13, wherein the tumor is [contacted with a DNA damaging agent by administering to the animal a therapeutically effective